

**RECEIVED**

**APR 09 2008**

**Ravalli County Commissioners**

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Planning Department  
215 South 4<sup>th</sup> Street, Suite F  
Hamilton, MT 59840  
Phone 406-375-6530  
Fax 406-375-6531  
planning@ravallcounty.mt.gov

April 8, 2008

Edward & Katherine Quick  
402 Whitaker Drive  
Missoula, MT 59803

Re: Potential Floodplain Violation (PVLTN-08-01)  
5481 Old Eastside Hwy, Stevensville, MT 59870  
Parcel #450600/1321100, Geocode # 1869-25-1-01-06-0000/1870-30-2-01-02-0000

Dear Dr. & Mrs. Quick,

The Ravalli County Planning Department has received complaints from a concerned citizen about potential floodplain violations on your above named property. To investigate the alleged violations, County staff members visited the property on January 10, 2008. During the site visit, no floodplain violations were apparent although it appeared that two recreational vehicles had been placed in the floodplain. According to the Ravalli County Floodplain Regulations, recreational vehicles may be located in the floodplain without a floodplain permit granted that the minimum standards have been met. The minimum development standards for recreational vehicles state that the recreational vehicle 1) shall be on the site for no more than 180 consecutive days, 2) shall be fully licensed and ready for highway use - wheels intact and attached to the site only by quick disconnect type utilities and security devices; 3) has no permanently attached additions; and 4) is not the primary residence of the occupant(s). In January, it appeared the four minimum standards had been met and no floodplain violation had occurred.

Since the January site visit additional complaints have been received about the work being conducted on your property. Photographs supplied by the complainant indicated that more work may be taking place in the floodplain that was initially not apparent. While recently conducting routine site visits, County personnel drove by your property and confirmed multiple development projects in progress, including but not limited to the construction of an awning or picnic shelter (which appears to be attached to a recreational vehicle), the placement of fill material and the dumping of construction debris in the Bitterroot River Floodplain.

According to the County's adopted floodplain maps, the majority of your property is within the regulatory floodplain and under the jurisdiction of the County Floodplain Regulations. Floodplain permits are required for most development and structures within the floodplain; however the placement of fill is prohibited. It appears that the recreational vehicles, constructed picnic shelter and fill material may be located within the floodway. Since we have researched our records and found no documentation of a floodplain permit issued for the developments on your property, we ask that you and your contractors cease and desist any further work on your projects in the floodplain until this matter is resolved.

OG-08-04-287

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In order to address this situation and to ensure compliance with the Floodplain Regulations, please complete the enclosed Floodplain Permit Application entitled "Joint Application for Proposed Work in Montana Streams, Wetlands, Floodplains, and Other Water Bodies." for any work that has been completed in the floodplain. Please also include evidence that the recreational vehicles meet the above listed minimum development standards. The cost for this "After-the-Fact" Floodplain Permit Application is \$1000 (payable to the Ravalli County Planning Department). A violation of the Floodplain Regulations may constitute a misdemeanor offense, with a maximum penalty of up to 10 days in the county jail and/or fines up to \$100, *for each day of the offense*. §3-16, Ravalli County Floodplain Regulations. Furthermore, any floodplain violations may also constitute and be prosecuted as a public nuisance. §76-5-404, MCA.

Please note that although some activities conducted on your property may be eligible for a floodplain permit through the County, additional permits may be required by other agencies. It is your responsibility to ensure that all permits have been legally obtained and requirements have been met before you proceed with work on your project.

Given the current snowpack levels and the potential for flooding due to the anticipated above average spring runoff, it is essential that this matter be resolved quickly. Please contact our office within 30 days of the date of this letter to discuss the work completed in the floodplain and your plans to resolve this situation.

We appreciate your prompt attention to this matter.

Respectfully,

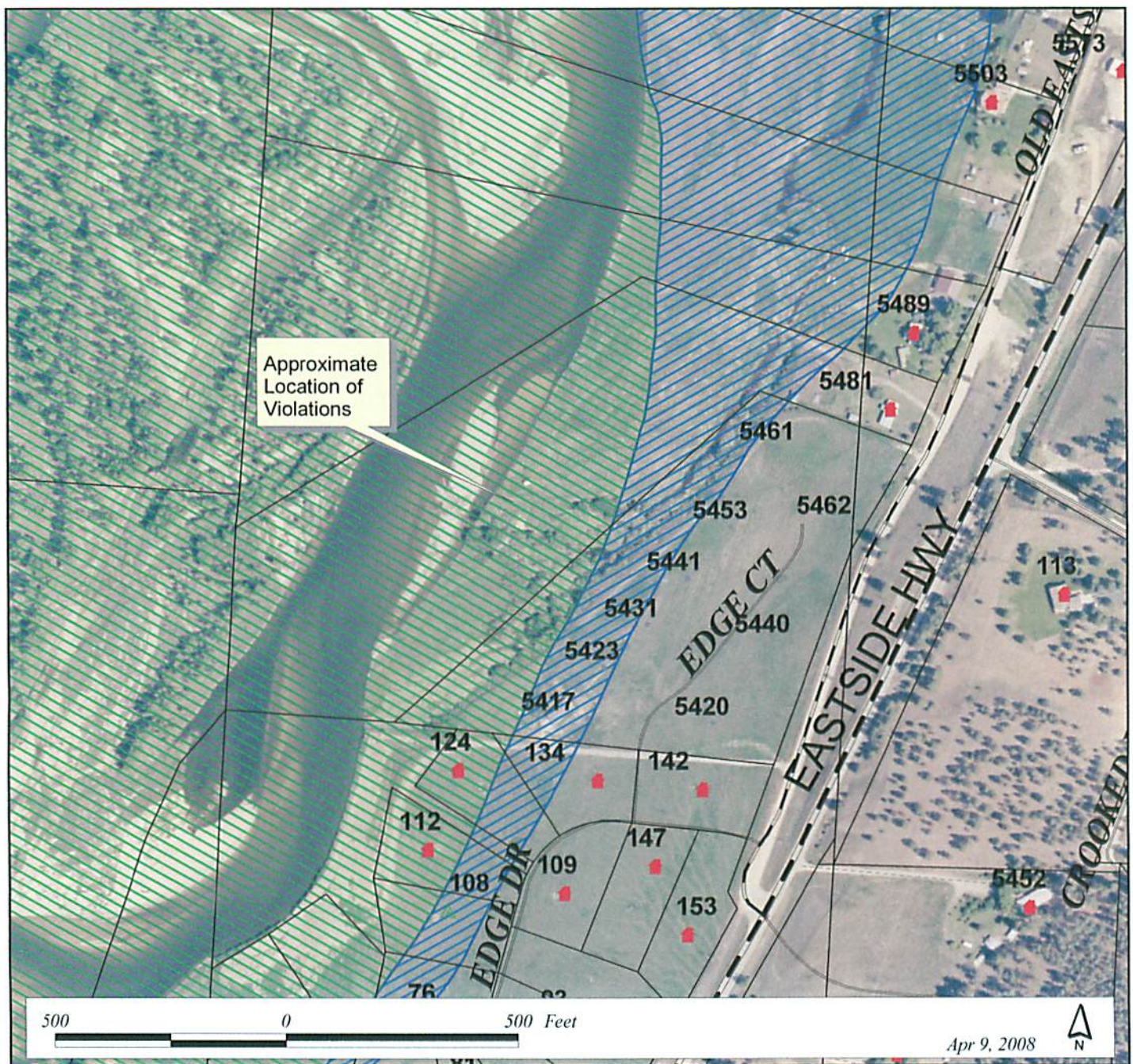


Laura Hendrix, CFM  
Ravalli County Floodplain Administrator

cc: Correspondence File-General  
(P)VLTN-08-01  
Karen Hughes, Ravalli County Planning Director (w/ map)  
Lea Jordan, Ravalli County Environmental Health Director (w/ map)  
Ravalli County Attorney's Office (w/ map)  
Ravalli County Commissioners (w/ map)  
Traci Sears-Tull, DNRC, PO Box 201601, Helena, MT 59620-1601 (w/ map)  
Larry Schock, DNRC, PO Box 5004, Missoula, MT 59806 (w/ map)

Enclosures: Floodplain Map  
Floodplain Permit Application





QUICK EDWARD L & KATHERINE A

402 WHITAKER DR

MISSOULA, MT 59803-1518

Physical Address:

Levy District: 2 - 6

School: STEVENSVILLE ELEMENTARY SCHOOL

Fire: THREE MILE FIRE

Voter Info: ( )

|                      |          |                              |
|----------------------|----------|------------------------------|
| Geocode              | T-R-S    | Legal Description            |
| 1869-25-1-01-06-0000 | 10-20-25 | IN E1-2E1-2 INDEX 14         |
|                      |          | FLORENTINE ACRES PT TRACT #1 |
|                      |          | 13.70 AC                     |

**Legal Description for Parcel No 450600 »—>**

\* Discription may be incomplete. Consult the official record.